

(C.No.5534/Vig.VII(2)/2004)

The issue in this file relates to the disciplinary action pending against Sri S.K.Prabhakar Rao, formerly Jr.Asst., O/o MRO, Kurnool. Kind attention is invited to the letter of the DG, ACB at page 1c.f. and also at page 29 c.f. and further notes thereon.

It is submitted that on the allegation of acceptance of bribe while he worked as Village Asst., the ACB conducted a trap and he was successfully trapped on 7-2-1992, and he was placed under suspension. Based on the proposal of the ACB sanction was accorded in G.O.Ms.No.516 Rev(VO), dt.8-6-1993 for prosecution of the individual in a court of Law. After issue of G.O the papers were closed.

While so, the DG, ACB informed during August, 2004 that the Addl.Spl.Judge for SPE & ACB cases, Hyderabad pronounced judgment on 10-8-2004 in CC No.10/93 finding the accused officer guilty of the charge framed against him and ordered the following directions.

- 1) the accused officer is found guilty of the charge framed against him under section 7, 13(1) (d) read with section 13(2) of P.C.Act and he is convicted under section 248(2) Cr.P.C;
- 2) The accused officer is sentenced to undergo R.I for a period of one year and to pay Rs.500/- in default to undergo S.I for a period of three months;
- 3) and to undergo R.I for a period of one year and to pay Rs.500/- in default to undergo S.I for three months.

The DG, ACB has requested to take action for dismissal of Sri S.K.Prabhakar Rao from service in view of conviction. The DG, ACB again addressed the Government on 10-9-2004 informing that Sri S.K.Prabhakar Rao filed criminal appeal No.1910/2004 in the High Court against his conviction and sentence in C.C.No.10/93 and the High Court admitted the appeal on 31-8-2004 suspended the sentence of imprisonment alone until disposal of the appeal. The DG, ACB has again requested for issue of dismissal order. But no action has been taken from then onwards. As seen from the

record the individual is due to retire from service on 31-7-2016(Page 14 c.f. of Flag (A). Thus the High Court has

not interfered with the judgment of the ACB court on the conviction.

In view of the above, it is for orders whether Sri S.K.Prabhakar Rao formerly Jr.Asst., O/o MRO's officer, Kurnool may be dismissed from service in terms of Rule 9(x) of APCS(CC&A) Rules, 1991.

The file may be circulated to M(Rev) for orders on para

Draft

Public Servants - Kurnool Dist. - Allegations of Corruption against Sri S.K.Prabhakar Rao, formerly Junior Assistant, Office of the Mandal Revenue Officer, Kurnool - Trapped - Found

guilty by the Addl.Special Judge for SPE & ACB cases cum V Addl. Chief Judge, Hyderabad – Dismissal from service – Orders – Issued.

REVENUE (VIGILANCE.VII) DEPARTMENT
G.O.Ms.No. Dated:0 .06.2008
Read the following:

- 1) From the DG, ACB Lr.No.6/RCT – KUR/92,
dt.27-2-92
- 2) G.O.Ms.No.516, Rev(VO) Department, dt.8-6-1993
- 3) From the DG, ACB Lr.No. 6/RCT/KUR/92,
dt.23-8-2004.

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ORDER

Whereas, the Director General, Anti Corruption Bureau, Hyderabad in his letter 1st read above has informed that Sri S.K.Prabhakar Rao, formerly Junior Assistant, Office of the Mandal Revenue Officer, Kurnool was trapped by the Anti Corruption Bureau on 7-2-1992, when he demanded and accepted a bribe of Rs.300/- from the complainant.

2. And Whereas, Government in the G.O 2nd read above issued orders for prosecution of the individual under various sections. Accordingly, the Director General, Anti Corruption Bureau filed charge sheet before the Addl.Special Judge for SPE & ACB cases cum V Addl. Chief Judge, Hyderabad in CC No.10 of 1993.

3. The Addl.Special Judge for SPE & ACB cases cum V Addl. Chief Judge, Hyderabad pronounced his judgment on 10-8-2004 in C.C.No.10 of 1993 as indicated below:

“The Accused Officer is sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.500/- in default to undergo simple imprisonment for a period of three months for the offence under Section 7 of the Prevention of Corruption Act, 1988. Further the Accused officer is sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.500/- in default to undergo simple imprisonment for a period of three months for the offence under section 13(1) (d) read with 13(2) of the Prevention of Corruption Act, 1988”.

..Contd.p.2.

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4. And whereas, Sri S.K.Prabhakar Rao filed an appeal before the High Court in Criminal Appeal No.1910/2004 against

the conviction and sentence in CC No.10/93 on the file of Addl.Judge for SPE & ACB cases, Hyderabad. The Hon'ble High Court admitted the appeal and suspended the sentence of imprisonment alone. The Hon'ble high Court has not touched upon the conviction portion.

5. And whereas, it is considered that the conduct of the said Sri S.K.Prabhakar Rao which led to his conviction on criminal charge is such, as to render his further retention in the Public Service is undesirable.

6. And whereas, Government after careful consideration of the matter have decided to impose a major penalty of dismissal from Government service in terms of APCS(CC&A)Rules, 1991 on Sri S.K.Prabhakar Rao, formerly Junior Assistant, Office of the Mandal Revenue Officer, Kurnool

7. Accordingly, Government hereby dismiss Sri S.K.Prabhakar Rao, formerly Junior Assistant, Office of the Mandal Revenue Officer, Kurnool from Government Service with immediate effect.

8. The Chief Commissioner of Land Administration, Hyderabad and Collector, Kurnool District shall take necessary action accordingly, and report compliance to the Government, immediately.

9. The following notification shall be published in the Andhra Pradesh Gazette:

..Contd.p.3.

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NOTIFICATION

In exercise of the powers conferred under sub-rule (i) of rule 25 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991,

Government hereby dismiss Sri S.K.Prabhakar Rao, formerly Junior Assistant, Office of the Mandal Revenue Officer, Kurnool, Kurnool dist. from Government service with immediate effect.

To
The Commissioner, Printing Stationery and Store purchase, Chanchalguda, Hyderabad (with a request to publish the notification in the official Gazettee and furnish copies of the same)

The Chief Commissioner Land Administration, Hyderabad
The District Collector, Kurnool

Sri S.K.Prabhakar Rao, formerly Junior Assistant, Office of the Mandal Revenue Officer, Kurnool. **through** the District Collector, kurnool. (He is requested to serve the G.O and obtain dated signature of the individual and furnish to the Government for taking action).

Copy to

The Director General, Anti Corruption Bureau, Hyderabad

SF/SC